

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

WAYNE PETTAWAY,)	
)	Civil Action No. 20 – 1776
Petitioner,)	
)	
v.)	Magistrate Judge Lisa Pupo Lenihan
)	
ATTORNEY GENERAL OF THE)	
STATE OF PENNSYLVANIA,)	
)	
Respondent.)	

ORDER

This habeas case was transferred to this Court from the United State Court of Appeals for the Third Circuit on November 12, 2020. (ECF No. 1-1.) However, this action may not proceed unless Petitioner either,

- (1) tenders to the “Clerk, U.S. District Court” a statutory filing fee in the amount of \$5.00, or,
- (2) files a properly completed application to proceed *in forma pauperis*, along with a certified copy of his prison account statement for the six (6) months preceding the filing of his Petition. An application to proceed *in forma pauperis* is enclosed.

Therefore,

IT IS HEREBY ORDERED this 19th day of November, 2020 that the Clerk of Court mark this case **CLOSED**.

IT IS FURTHER ORDERED that Petitioner may submit a motion to proceed *in forma pauperis*, along with a certified copy of the inmate account statement for the six (6) months preceding the filing of his Petition. If that motion is granted, the case will be reopened.

IT IS FURTHER ORDERED that the Petitioner may also reopen this case by paying the \$5.00 filing fee.

AND IT IS FURTHER ORDERED that the Petitioner is allowed fourteen (14) days from this date to appeal this order to a District Judge pursuant to Rule 72.C.2 of the Local Rules. Failure to appeal within fourteen (14) days may constitute waiver of the right to appeal.

/s/ Lisa Pupo Lenihan

Lisa Pupo Lenihan
United States Magistrate Judge

Cc: Wayne Pettaway
HM-1581
SCI Albion
10745 Route 18
Albion, PA 16475-0001